

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

United States of America,	)	
	)	
Plaintiff,	)	<b>DETENTION ORDER</b>
	)	
	)	
vs.	)	
	)	
Alvin Jamison Lee,	)	
	)	Case No. 1:03-cr-002
Defendant.	)	

---

The court conducted a combined detention and preliminary hearing in the above-entitled action on July 23, 2009. AUSA David Hagler appeared on the Government's behalf. Assistant Federal Public Defender William Schmidt appeared on the Defendant's behalf. Probation and Pretrial Services Officer David Hohn provided testimony.

For the reasons articulated at the close of the hearing, the court finds that there is probable cause to believe that the Defendant may have committed the violations alleged in the petition for revocation of supervised release. Accordingly, the court **ORDERS** that the Defendant be bound over to the United States District Court to answer to the charges set forth in the petition.

Additionally, the court finds that the Defendant has not met his burden of demonstrating that he is neither a flight risk nor a risk to the community. Included as part of the reasons expressed on the record were the Defendant's continued consumption of alcohol and evidence of the assault with which he has been charged in Morton County, North Dakota.

Accordingly, the court **GRANTS** the Government's Motion for Detention and **FURTHER ORDERS** that the Defendant be committed to the custody of the Attorney General or his designated

representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The Defendant shall be afforded a reasonable opportunity for private consultations with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

**IT IS SO ORDERED.**

Dated this 23rd day of July, 2009.

/s/ Charles S. Miller, Jr. \_\_\_\_\_  
Charles S. Miller, Jr.  
United States Magistrate Judge